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08306 U.S. PTO

10/633864



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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	10177-219-999	Total Pages	27
	First Named Inventor or Application Identifier			
	Girton Kocur			
	Express Mail Label No.	EV 335 856 644 US		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	<b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Mail Stop PATENT APPLICATION</b> <b>Alexandria, VA 22313-1450</b>
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27 3. <input checked="" type="checkbox"/> Specification [Total Pages 15] <i>(preferred arrangements set forth below, MPEP 1503.01)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description of the Invention (including drawings, if filed) - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 5] 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- 9.
- ☐
- Assignment Papers (cover sheet & document(s))
- 
- 10.
- ☒
- 37 CFR 3.73(b) Statement
- ☒
- Power of Attorney
- 
- (when there is an assignee)*
- (copy)*
- 
- 11.
- ☐
- English Translation Document (if applicable)
- 
- 12.
- ☒
- Information Disclosure Statement (IDS)/PTO-1449
- ☒
- Copies of IDS Citations
- 
- 13.
- ☐
- Preliminary Amendment
- 
- 14.
- ☒
- Return Receipt Postcard (MPEP 503)
- 
- (Should be specifically itemized)*
- 
- 15.
- ☐
- Certified Copy of Priority Document(s)
- 
- (if foreign priority is claimed)*
- 
- 16.
- ☐
- Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
- 
- 17.
- ☐
- Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) | of prior application No.: 09/774,218 filed January 30, 2001

Prior application information:

Examiner: Lalita M. Hamilton

Group Art Unit: 3624

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number

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NAME	PENNIE & EDMONDS LLP			
ADDRESS	1155 AVENUE OF THE AMERICAS			
CITY	NEW YORK	STATE	NEW YORK	ZIP CO DE
COUNTRY	U.S.A.	TELEPHONE	(212) 790-9090	FAX (212) 869-9741

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner Lalita M. HamiltonArt Unit 3624

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/774,218 filed on January 30, 2001

of Kocur, Gordon; Girtton, Timothy

(inventor(s) currently of record in prior application)

for STENT WITH CHANNEL(S) FOR CONTAINING AND DELIVERING A BIOLOGICALLY ACTIVE MATERIAL AND METHOD FOR MANUFACTURING THE SAME

(title of invention)

1. ☒ The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	14	- 20	0	\$18.00 each	\$
Independent	2	- 3	0	\$84.00 each	\$
Minimum Fee					\$ 750.00
Multiple Dependency Fee					\$ 0.00
If Applicable (\$280.00)					\$
<b>Total</b>					\$
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
<b>Total Filing Fee</b>					\$ 750.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. , filed .
- 4a. ☒ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.

- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Scimed Life Systems, Inc. at reel 011513, frame 0146.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/774,218, filed January 30, 2001 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction Information Disclosure Statement with PTO Form 1449

Respectfully submitted,

Date August 4, 2003

Gidon B. Stern 27,469  
(Reg. No.)

PENNIE & EDMONDS LLP  
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New York, New York 10036-2711